

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 9:24-cv-80975-LEIBOWITZ/MCCABE

THOMAS E. SAUNDERS and
KATHERINE SAUNDERS,

Plaintiffs,

v.

AMERICAN HERITAGE MOVING
SOLUTIONS, LLC,

Defendant.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS MATTER was referred to United States Magistrate Judge Ryon McCabe for a report and recommendation on Plaintiffs' Motion Referral of Montana Court Order [ECF No. 4] and Plaintiffs' Motion of Writ on Attachment [ECF No. 6] ("the Motions"). Judge McCabe has since issued a Report and Recommendation ("the R&R"), recommending that the Motions be granted to the extent that a writ of execution should be issued. [ECF No. 19]. No party has submitted an objection to the R&R and the time to do so has passed. After careful review of the filings, the applicable law, and the record, the Court adopts Judge McCabe's R&R in its entirety.

"In order to challenge the findings and recommendations of the magistrate judge, a party must file written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006) (cleaned up). The objections must also present "supporting legal authority." S.D. Fla. L. Mag. J.R. 4(b). Once a district court receives "objections meeting the specificity requirement set out above," it must "make a *de novo* determination of those portions of the

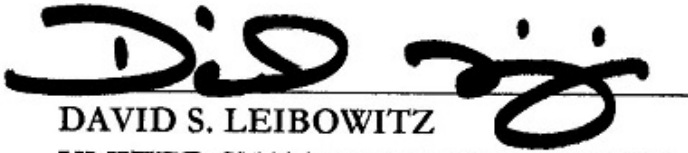
report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.” *Macort*, 208 F. App’x at 783–84 (cleaned up). To the extent a party fails to object to parts of the magistrate judge’s report, those portions are reviewed for clear error. *Id.* at 784 (cleaned up).

The parties have not submitted any objections to Judge McCabe’s R&R, and the time to do so has passed. As such, the Court has reviewed the R&R for clear error only. Upon this review, the Court finds not only no clear error but also notes that Judge McCabe’s R&R is thorough, cogent, and compelling. The Court adopts the R&R in its entirety.

Accordingly, it is hereby **ORDERED AND ADJUDGED:**

1. Magistrate Judge McCabe’s R&R [ECF No. 19] is **AFFIRMED AND ADOPTED**.
2. The Motions [ECF Nos. 4, 6] are **GRANTED**.
3. The Clerk of Court shall issue a writ of execution, using standard form DC 11 (revised 11/2002), to be served by the United States Marshals Service as follows:
 - a. Writ of Execution against Defendant American Heritage Moving Solutions, LLC, for the sum of \$7,403.64.
4. The Clerk of Court **SHALL FILE** a Notice of Compliance on the docket that a copy of this order was mailed to the following addresses:
 - a. Thomas E. Saunders and Katherine Saunders 61 Talsma Rd. Libby, MT 59923
 - b. American Heritage Moving Solutions, LLC, 1870 Forest Hill Blvd, Ste. 204 West Palm Beach, FL 33406
 - c. American Heritage Moving Solutions, LLC, 7901 4th St. N, Ste. 300 St. Petersburg, FL 33702
5. The Clerk of Court is directed to **CLOSE** this case.

DONE AND ORDERED in the Southern District of Florida on March 14, 2025.



DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

cc: counsel of record